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OCT 17 2006

UTAH STATE
INSURANCE DEPT

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

**STIPULATION
&
ORDER**

RESPONDENT:

CHARITY TITLE INSURANCE AGENCY, INC.
5250 S. Commerce Drive, Suite 101
Murray, UT 84107
License No. 104609

Docket No. 2006-093 PC

Enf. Case No. 1835

STIPULATION

1. Respondent, Charity Title Insurance Agency, Inc., is a licensed title insurance agency in the State of Utah, holding License No. 104609.

2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:

a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;

b. Respondent admits the Findings of Fact and Conclusions made therefrom;

c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

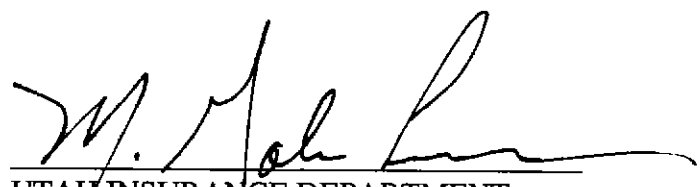
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 13th day of October, 2006.



CHARITY TITLE INSURANCE AGENCY, INC.
Gregory P. Hawkins, President



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent has been licensed in the State of Utah since December 30, 2004.
2. Respondent failed to file its escrow rates with the department as required under Utah Code Annotated § 31A-19a-209(2)(a)(i) until on or about July 11, 2006.
3. During the period of time between receiving a license as a title agency and the filing of its escrow rates, Respondent completed about 896 closings.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In failing to file its escrow rates prior to conducting closings, Respondent violated Utah Code Annotated § 31A-19a-209(2)(a)(i).

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith makes the following recommended Order:

ORDER

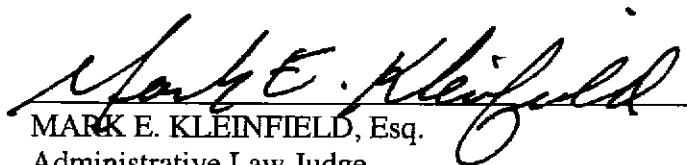
IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

1. Respondent be assessed an administrative forfeiture in the amount of \$7,500.00, to be paid within 30 days of the date of the imposition of the penalty by the Title and Escrow Commission.
2. Respondent's title agency license be placed on probation for a period of 6 months

beginning with the date of the imposition of the penalty by the Title and Escrow Commission. The terms of probation to be that the Respondent pays the administrative forfeiture assessed herein in a timely manner and has no further violations of the Utah Insurance Code or Rules or of any order of the commissioner.

DATED this 20th day of October, 2006.

D. KENT MICHIE
INSURANCE COMMISSIONER




MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

IMPOSITION OF PENALTY

By a vote of 5 to 0, taken in open meeting on this date, the Title and Escrow Commission hereby imposes the penalties recommended in the Order herein above.

Dated this 8th day of November, 2006.



DARWIN L. JOHNSON, Chairman
Title and Escrow Commission

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

**UTAH
Invoice**

Page 1

Printed Date: November 14, 2006

Invoice Date: October 18, 2006
Balance Due: \$0.00
Due Date: November 22, 2006
Invoice ID: 310592

CHARITY TITLE INSURANCE AGENCY INC
5250 S COMMERCE DR 101
MURRAY UT 84107

Item Description

Monetary Penalty Agency

Amount

\$7,500.00

Original Amount Due \$7,500.00

Payments Received

10/19/2006 Check

\$7,500.00

Balance Due \$0.00

**UTAH
Invoice**

Printed Date: November 14, 2006

Invoice Date: October 18, 2006
Balance Due: \$0.00
Due Date: November 22, 2006
Invoice ID: 310592

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901


Detach and Return with Payment

CONCURRENCE WITH COMMISSION IMPOSED PENALTY

On behalf of the Commissioner of the Utah Insurance Department I hereby concur with the penalty imposed by the Utah Title Commission in the above matter.

DATED this 9 day of November, 2006.

D. KENT MICHIE
INSURANCE COMMISSIONER


MARK E. KLEINFELD
Administrative Law Judge